

Notice of Appeal Rights

Notice is hereby given that a person aggrieved by the foregoing decision has the right to file a petition for judicial review as provided in s. 227.53, Stats. The petition must be filed within 30 days after the date of mailing of this decision. That date is shown on the first page. If there is no date on the first page, the date of mailing is shown immediately above the signature line. The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

Notice is further given that, if the foregoing decision is an order following a proceeding which is a contested case as defined in s. 227.01(3), Stats., a person aggrieved by the order has the further right to file one petition for rehearing as provided in s. 227.49, Stats. The petition must be filed within 20 days of the date of mailing of this decision.

If this decision is an order after rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not an option.

This general notice is for the purpose of ensuring compliance with s. 227.48(2), Stats., and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

Revised 4/22/91

APPENDIX A

This proceeding is not a contested case under Chapter 227, Stats., therefore there are no parties to be listed or certified under s. 227.47, Stats. However, a discretionary hearing was held, and the persons listed below participated.

Public Service Commission of Wisconsin
(Not a party but must be served)
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

WISCONSIN BELL, INC.
(d/b/a AMERITECH WISCONSIN)
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(PH: 414-678-2127 / FAX: 414-678-2444)

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STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

by

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APPENDIX B

Threshold to Refile

Ameritech must gather and submit to the Commission all of the following information at least 14 days prior to filing another statement.

Processing

1. Evidence demonstrating that all five interfaces, pre-ordering, ordering, provisioning, repair and maintenance, and billing are providing predictable and reliable results.

a. The demonstration can be in the form of a complete and representative sample of live transactions or test simulated transactions.

1. The formulation and execution of test simulated transactions can not be carried out unilaterally by Ameritech. An independent third party may be engaged or participation of industry parties may be used. The test must include sufficient volumes to simulate the volumes of transactions that could be expected to occur in production.

b. Evidence must be in the form of data collected on test or live transactions.

1. Complete and representative data available at the date of filing that can be used for trend analysis must be included for all of the following for each interface:

A. The processing results (complete, reject, delay),

B. The numbers of manual versus automatically processed transactions,

C. The reasons for rejection, or manual processing on both the Ameritech and CLEC sides of an interface, and

D. The occurrence of and clearing time for all service affecting troubles.

c. The demonstration must show predictable and reliable processing of transactions associated with standard offerings by the interfaces.

Parity

2. Evidence demonstrating the interfaces are processing transactions in substantially the same time and manner that Ameritech provides to itself for comparable transactions for all five interfaces.

a. Evidence must be in the form of complete and representative data.

Pre-ordering

1. A measure of CLEC response time for each of the pre-ordering functions, customer service records, telephone number, and due date.

A. A means of demonstrating the performance of pre-ordering functions occurs in a reasonable length of time.

2. A measure of Ameritech customer service representative response time for each of the pre-ordering functions, customer service records, telephone number and due date.

Ordering

3. A measure of CLEC due dates missed for each type of order. Examples include: with dispatch of a field technician and without dispatch of a field technician. Analysis

should be provided for active products and services. A request pending past its due date must be included as a missed due date.

A. A means of demonstrating the performance of provisioning of unbundled loops occurs in a reasonable length of time.

B. A means of demonstrating that all due dates are available to both Ameritech and CLEC representatives in a nondiscriminatory manner.

4. A measure of Ameritech due dates missed for each type of order.

Examples include: with dispatch of a field technician and without dispatch of a field technician. Analysis should be provided for active products and services. A request pending past its due date must be included as a missed due date.

Provisioning

5. A measure of CLEC response time for provisioning messages. Each type of provisioning messages should be included, order acknowledgment, order confirmation, order completion.

A. A means of demonstrating the performance of order acknowledgments and order confirmation is in a reasonable length of time.

6. A measure of Ameritech order completion information availability.

Repair and Maintenance

7. A measure of CLEC response intervals related to repair and maintenance. Intervals will include notice acknowledgment, and repair completion. Further detail may be provided including grouping by complexity of work.

A. A means of demonstrating the performance of acknowledgments are in a reasonable length of time.

B. A means of demonstrating the all repair scheduling and dispatching is available to both Ameritech and CLEC representatives in a nondiscriminatory manner.

8. A measure of Ameritech response interval for repair and maintenance completion in the same groupings as the CLEC comparisons.

Billing

9. A means of demonstrating CLEC billing accuracy to include the speed and accuracy of daily usage feed information and the accuracy of monthly CLEC bills.

A. A means of demonstrating that the rates charged to CLECs are consistent with filed tariffs or interconnection agreements.

10. A means of demonstrating Ameritech billing accuracy.

b. The data must demonstrate that the interfaces are processing transactions in substantially the same time and manner that Ameritech provides to itself for comparable transactions.

Specifications

3. Evidence that users have access to all specifications and documentation needed to use all five interfaces.

a. Evidence includes the manuals provided to competing providers to assist them to use each of the interfaces.

b. Evidence includes statements for each interface detailing what the current industry standards are and the extent and reason for any difference from industry standards.

c. Evidence includes documentation of the USOCs for ordering standard offerings of resale services and unbundled network elements, plus common combinations of unbundled network elements.

Change Management

4. The terms and conditions of the Change Management Process for making changes to each of the five interfaces.

a. The terms and conditions are to include at a minimum

1. The frequency of batched changes

2. The circumstances under which changes more or less frequently than the batched changes will be allowed.

3. Description of the explanation that will be given for the need for each change, including if the change was requested by the industry or initiated by Ameritech.

4. A description of the process by which users of the interface will have meaningful input into the scheduling of batch updates.

5. A commitment that all updates will meet one of the two following criteria.

a. The upgraded interfaces are backwards compatible. That is that any software written to previous specifications will continue to operate as before, or

b. That none of the production users of the affected interface has filed an objection to the implementation schedule for the update. If an objection is filed, it may be appealed to the Commission, which may approve the original schedule, or set a revised schedule.

Correspondence

5. A file of all correspondence with CLECs concerning inquiries related to the use of the interfaces.

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BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

MATTERS RELATING TO SATISFACTION
OF CONDITIONS FOR OFFERING INTERLATA Docket No.
SERVICE (WISCONSIN BELL, INC., D/B/A 6720-TI-120
AMERITECH WISCONSIN)

EXAMINER BARBARA JAMES PRESIDING
VOLUME 1

VICKY L. ST. GEORGE, RMR.

HEARING HELD:	TRANSCRIPT PAGES
March 31, 1997	1 - 282, Incl.
Public Service Commission	EXHIBITS
Madison, Wisconsin	1 - 11
10:00 a.m.	

SCHINDHELM & ASSOCIATES, INC.
(414) 271-0566

1 A P P E A R A N C E S

2 HEARING EXAMINER BARBARA JAMES, Presiding.

3 CHAIRMAN PARRINO, COMMISSIONER EASTMAN, COMMISSIONER
4 METTNER, present.

5

6 IN SUPPORT:

7 AMERITECH WISCONSIN, by MICHAEL PAULSON,
8 Attorney, 722 North Broadway, Room 1608, Milwaukee,
9 Wisconsin 53202; JOHN DAWSON, Attorney, Foley and
10 Lardner, 777 East Wisconsin Avenue, Milwaukee,
11 Wisconsin 53202.

12

13 IN OPPOSITION:

14 AT&T COMMUNICATIONS, by JOHN J. REIDY,
15 III and JOAN MARSH, Attorneys, 227 West Monroe, No.
16 1300, Chicago, Illinois 60606; ROBERT DIAZ and TONY
17 TOMASELLI, Attorneys, Quarles and Brady, 1 South
18 Pinkney Street, Madison, Wisconsin 53701.

19

20 AS INTEREST MAY APPEAR:

21 SPRINT COMMUNICATIONS COMPANY L.P., by
22 JULIE THOMAS BOWLES, 8140 Ward Parkway, SE, Kansas
23 City, Missouri 64114.

24

25 MCI TELECOMMUNICATIONS CORPORATION, by
MATTHEW BERNS, Attorney, 205 N. Michigan Avenue, Suite

SCHINDHELM & ASSOCIATES, INC.
(414) 271-0566

1 3700, Chicago, Illinois 60601; NILES BERMAN, Attorney,
2 Wheeler, Van Sickie & Anderson, S.C., 25 West Main
3 Street, Suite 801, Madison, Wisconsin 53703-3398.

4 TIME WARNER COMMUNICATIONS, by PETER
5 GARDON, Attorney, 7617 Mineral Point Road, Madison,
6 Wisconsin 53703.

7 WISCONSIN DEPARTMENT OF JUSTICE, by
8 EDWIN J. HUGHES, 123 West Washington Avenue, P.O. Box
9 7857, Madison, Wisconsin 53707-7857.

10
11 OF THE COMMISSION STAFF:

12 GLENN KELLEY, Chief Counsel,
13 Telecommunications Division.

14 PETER JAHN, Telecommunications Division.
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20 (FOR INDEX SEE BACK OF TRANSCRIPT.)
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P R O C E E D I N G S

(Exhibit 1 marked.)

EXAMINER JAMES: Pursuant to due notice, the Public Service Commission of Wisconsin has set for hearing at this time and place matters related to the satisfaction of conditions for offering interLATA service, paren, Wisconsin Bell, Inc., d\b\a, Ameritech Wisconsin, docket 6720-TI-120. Is there anyone present who wants me to read the notice?

(No response.)

EXAMINER JAMES: In that case, we will incorporate the original notice of October 17th, the first two pages and the first full paragraph on the third page. And we will also incorporate the amended notice of hearing for this case, the first page and the list of issues to the point on page 3 where the word notice is given as a heading.

(Whereupon, the notice was incorporated as follows:)

The Telecommunications Act of 1996 (the Act) states that Ameritech Wisconsin (Ameritech) may not offer in-region interLATA services in Wisconsin except as provided in section 271(c)(1)

1 of the Act. Specifically, section 271(d) allows
2 Ameritech to apply to the Federal Communications
3 Commission (FCC) at any time for authority to
4 provide in-region, originating interLATA service
5 in Wisconsin. The FCC must issue its decision on
6 such an application within 90 days.

7 The balancing factor under the Act for
8 Ameritech's entry into in-region interLATA service
9 is for Ameritech to open its network and services
10 to the entry of competitors into its local
11 exchange service territory. Under section
12 271(c)(1), Ameritech has two means of qualifying
13 to provide interLATA service, generally referred
14 to as Track A and Track B. Track A relies on the
15 presence of a facilities-based competitor
16 providing local service to residential and
17 business customers predominantly over its own
18 facilities under the terms of a
19 Commission-approved interconnection agreement.
20 Track B relies on the availability of
21 interconnection under a statement of generally
22 available terms and conditions (Statement) for
23 interconnection. Ameritech has chosen a Track B
24 approach and filed its Statement on October 16,
25 1996. The commission has opened this proceeding

1 primarily to review the Ameritech Statement.

2 Track B requires that access and
3 interconnection offered pursuant to Statement must
4 meet the requirements of section 271(c)(2)(B); the
5 competitive checklist (Checklist). The Checklist
6 has 14 items which are: (1) local carrier
7 interconnection, (2) nondiscriminatory access to
8 network elements, (3) nondiscriminatory access to
9 poles, ducts, conduits and rights-of-way, (4)
10 unbundled local loop transmission, (5) unbundled
11 local transport, (6) unbundled local switching,
12 (7) nondiscriminatory access to 9-1-1, directory
13 assistance and operator services, (8) white pages
14 listings, (9) nondiscriminatory access to
15 telephone numbers, (10) nondiscriminatory access
16 to databases and signalling for call routing, (11)
17 interim number portability, (12) access to
18 services and information to implement local
19 dialing parity, (13) reciprocal compensation
20 arrangements, and (14) telecommunications services
21 available for resale.

22 Under section 252(f) of the Act, the
23 Commission has 60 days to complete its review of
24 the Statement (including any reconsideration
25 thereof) unless the submitting carrier agrees to

1 an extension of the period for review. If the
2 review is not completed within the 60-day or
3 extended time frame, the Statement is permitted to
4 take effect. The Commission may not approve
5 Ameritech's Statement unless it complies with
6 section 252(d) pricing standards and section 251
7 interconnection standards. Allowing the Statement
8 to go into effect by not acting within the 60
9 days, however, does not constitute approval. The
10 commission may continue its review of the
11 Statement even if it has been allowed to take
12 effect, and is not precluded from approving or
13 disapproving it following completion of the
14 review. Continuing the review beyond the 60 days
15 without agreement from Ameritech is not desirable.
16 It could seriously compromise the commission's
17 ability to effectively consult with the FCC
18 regarding a request by Ameritech for in-region
19 interLATA service authority.

20 The schedule for this proceeding is set
21 to meet the 60-day review deadline. This is an
22 unusually short administrative proceeding given
23 the matter under review. For parties to have
24 meaningful input for commission consideration in
25 this review, comments will be invited; however,

1 comment and reply dates are considerably
2 shortened. Further, for administrative
3 expedience, requests for hearing can only be
4 considered after release for comment of the
5 recommended order or in conjunction with any
6 request(s) for reconsideration of the order issued
7 following this review.

8 As required by the Act, rules
9 promulgated by the FCC in its Interconnection
10 Order in FCC Docket 96-98 set the section 251
11 interconnection standards and the section 252(d)
12 pricing standards. The U.S. Court of Appeals for
13 the 8th Circuit has decided to stay the operation
14 and effect of the pricing provisions and the "pick
15 and choose" rule pending its final determination
16 of the issues raised by the pending petitions for
17 review. Notwithstanding the stay, it is the
18 option of this commission to consider the
19 decisions of the FCC in its deliberations for this
20 review of pricing, terms and conditions for local
21 competition under the Act. Therefore, in this
22 investigation, the commission will give due weight
23 to the provisions of the Interconnection Order,
24 regardless of any position this commission may
25 argue regarding judicial review of that Order. As

1 allowed by section 252(f)(2), this state review of
2 Ameritech's Statement will also be based on the
3 order of this commission, dated July 3, 1996, in
4 docket 05-TI-138, that set standards for local
5 exchange service competition in Wisconsin.

6 Further, this docket will also include assessment
7 of information to share in consultation with the
8 FCC pursuant to section 271(d)(2)(B). This
9 consultation provides information to the FCC as to
10 whether an application by Ameritech for in-region
11 interLATA service should be granted by the FCC
12 pursuant to section 271.

13 Ameritech's Statement relies heavily on
14 the terms, conditions and prices set in its resale
15 and unbundled element tariffs. For this reason,
16 staff expressed concern to Ameritech that state
17 law regarding tariff filings for Ameritech, a
18 price-capped utility, might compromise the
19 commission's ability to effectuate changes to the
20 tariffs if it found that the Statement did not
21 comply with section 251 of the Act. Consideration
22 was given to the alternative to suspend the
23 effectiveness of the tariffs within 10 days of
24 submission while this investigation is pending.
25 In response, Ameritech submitted to commission

1 staff a letter on September 30, 1996, stating that
2 whatever changes the commission requires in the
3 Statement would be reflected in changes in the
4 tariffs. Further, Ameritech waives its right to
5 hearing regarding the tariff modifications. Given
6 that agreement, the tariffs have been allowed to
7 go into effect subject to changes that may be
8 required by the commission for approval of
9 Ameritech's Statement.

10 (The amended notice was incorporated
11 into the transcript as follows:)

12 At the time of the original notice of
13 hearing, the issue of whether or not the Ameritech
14 Operations Support Systems (OSSs) are tested and
15 operational was not included on the issue list.
16 Staff was working with Ameritech and the
17 participants in this proceeding to develop methods
18 for determining how these systems can be tested.
19 The original notice stated that if this issue was
20 added, the Hearing Examiner would notify the
21 parties of that addition by fax on or before March
22 10, 1997. The commission decided at its March 6,
23 1997, open meeting to add the OSS issue to the
24 list of issues to be considered at this hearing.

25 The commission also determined at its

1 March 6, 1997, open meeting that the OSS issue
2 would be decided on an expedited basis following
3 the hearing. The OSS issue will be the first
4 issue addressed at the hearing beginning March 31,
5 1997. All three commissioners will attend this
6 portion of the hearing. The commission also
7 determined that oral arguments will be used for
8 the OSS issue in lieu of briefs and/or reply
9 briefs. Oral argument will be set to immediately
10 follow the end of the portion of the hearing
11 addressing the OSS issues.

12 Staff has made the following
13 arrangements to make materials received from
14 Ameritech related to OSS available to
15 participants. Staff has prepared and delivered to
16 participants a list of information already
17 provided and of information requested following
18 the March 3, 1997, filing of Ameritech's Statement
19 of Generally Available Terms and Conditions.
20 Ameritech has agreed to make public copies of all
21 these data request responses. Most of the
22 responses will be available by the end of the day,
23 Monday, March 10, 1997, with one response due each
24 of Tuesday, Thursday, and Friday. If for a
25 limited number of responses only a partial answer

1 is available on the due date, a date when the
2 complete response will be available will be
3 provided. Copies of the data requests and
4 responses may be obtained from Ameritech by
5 contacting Ann Schmitz at (608) 252-6911.

6 Amended issues to be addressed in the
7 hearing. The hearing will be limited to the
8 following issues: 1. Whether the equipment that
9 can be collocated in Ameritech central offices
10 should be limited to multiplexing and line
11 concentration equipment, or whether competitors
12 should be allowed to collocate switching
13 equipment.

14 2. The circumstances under which access
15 charges accrue to Ameritech, and under what
16 circumstances they accrue to the new entrant, if
17 the new entrant is purchasing unbundled local
18 loops and unbundled local switching. The attached
19 staff white paper (Attachment A) provides some
20 details on these issues. Testimony should also
21 address calls routed over shared transport,
22 special cases such as 800/WATS service, and
23 whether the call detail provided with unbundled
24 local switching is sufficient to allow competitors
25 to bill access charges.

3. The cost support and reasonableness of Ameritech's Usage Development and Implementation Charge. Note that this is the only cost study on which the commission has not already ruled.

4. The viability of Ameritech's unbundled service offerings. Discussion of this issue is limited to discussion of viability of the rates already approved by the commission. The commission does not intend this issue to be used to reopen the cost studies used to price unbundled services.

5. The extent and completeness of performance benchmarks and parity reports to be provided by Ameritech.

6. The procedures under which Ameritech will modify its Operational Support Systems interface, the procedures for notifying users of impending changes in the interface, and the extent to which users will have input into the modification process.

7. Other factual issues related to a potential filing by Ameritech for interLATA relief under section 271, such as the extent to which competitors are serving residential customers.

1 Legal issues regarding the Track A/Track B
2 question, such as the meaning of "predominantly,"
3 should not be included in testimony. Those legal
4 issues may be included in briefing.

5 8. What criteria should the commission
6 use on advising the FCC on whether the Ameritech
7 Filing is "in the public interest."

8 9. Are Ameritech operations support
9 services (OSS) tested and operational?

10 The commission does not intend to reopen
11 issues already resolved in this docket. Resolved
12 issues include the appropriate discount rate for
13 wholesale services, the pricing of unbundled
14 services, the issue of whether service
15 descriptions should be in tariffs or in the
16 Statement, aggregation of local usage, and several
17 others.

18 EXAMINER JAMES: We will at this point
19 take the appearances. And inasmuch as this is a
20 general investigation, we'll start by going around
21 the table starting with Mr. Paulson, please.

22 MR. PAULSON: Appearing for
23 Ameritech-Wisconsin Michael Paulson, regulatory
24 counsel and John Dawson of Foley and Lardner.

25 MS. BOWLES: Appearing for Sprint

1 Communications Company LP, Julie Thomas Bowles.

2 MR. BERMAN: MCI Telecommunications
3 Corporation appears by its attorneys, Matthew
4 Berns and by Wisconsin counsel Wheeler, Van Sickle
5 and Anderson by Niles Berman.

6 MR. REIDY: On behalf of AT&T John J.
7 Reidy and Joan Marsh.

8 MR. DIAZ: Quarles & Brady also appears
9 on behalf of AT&T, Robert Diaz and Tony Tomaselli.

10 MR. GARDON: Time Werner appears by
11 Peter Gardon of Reinhart Boerner.

12 MR. KELLEY: Public Service Commission
13 of Wisconsin or PSC appears by Glenn Kelley.
14 Appearing with me are staff members Ann Wiecki and
15 Peter Jahn.

16 EXAMINER JAMES: Are there any other
17 counsel in the back?

18 MR. HUGHES: Wisconsin Department of
19 Justice by Ed Hughes.

20 EXAMINER JAMES: Anyone else?

21 (No response.)

22 EXAMINER JAMES: Thank you. Could we go
23 off the record?

24 (Discussion off the record.)

25 EXAMINER JAMES: Back on the record.